

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: Brenda Ann Sidler

Debtor(s)

U.S. Bank National Association, as Trustee, successor in interest to Bank of America National Association, as Trustee, successor by merger to LaSalle Bank National Association, as Trustee for STRUCTURED ASSET INVESTMENT LOAN TRUST MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2004-10

Movant

v.

Brenda Ann Sidler

Debtor(s)

and

Jack N. Zaharopoulos

Trustee

BK. NO. 23-02097 HWV

CHAPTER 13

MOTION FOR RELIEF FROM THE AUTOMATIC STAY

Date: December 7, 2023

/s/Michael P. Farrington
Michael P. Farrington, Esq.
KML Law Group, P.C.
BNY Mellon Independence Center
701 Market Street, Suite 5000
Philadelphia, PA 19106
Phone: (215)-627-1322
mfarrington@kmllawgroup.com

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: Brenda Ann Sidler

Debtor(s)

**U.S. Bank National Association, as Trustee, successor
in interest to Bank of America National Association,
as Trustee, successor by merger to LaSalle Bank
National Association, as Trustee for STRUCTURED
ASSET INVESTMENT LOAN TRUST
MORTGAGE PASS-THROUGH CERTIFICATES,
SERIES 2004-10**

Movant

vs.

Brenda Ann Sidler

Debtor(s)

Jack N. Zaharopoulos

Trustee

CHAPTER 13

NO. 23-02097 HWV

11 U.S.C. Section 362

**MOTION OF U.S. Bank National Association, as Trustee, successor in interest to Bank of
America National Association, as Trustee, successor by merger to LaSalle Bank National
Association, as Trustee for STRUCTURED ASSET INVESTMENT LOAN TRUST
MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2004-10**

FOR RELIEF FROM THE AUTOMATIC STAY

UNDER SECTION 362

1. Movant is U.S. Bank National Association, as Trustee, successor in interest to Bank of America National Association, as Trustee, successor by merger to LaSalle Bank National Association, as Trustee for STRUCTURED ASSET INVESTMENT LOAN TRUST MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2004-10.

2. Debtor(s) is/are the owner(s) of the premises 14933 Wayne Highway, Waynesboro, PA 17268, hereinafter referred to as the mortgaged premises.

3. Jack N. Zaharopoulos is the Trustee appointed by the Court.

4. Movant is the holder of a mortgage, original principal amount of \$94,500.00 on the mortgaged premises that was executed on June 28, 2004. The mortgage has been assigned as follows: Assigned to U.S. Bank National Association, as Trustee, successor in interest to Bank of America National Association, as Trustee, successor by merger to LaSalle Bank National Association, as Trustee for STRUCTURED ASSET INVESTMENT LOAN TRUST MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2004-10 on May 10, 2023, recorded in Franklin County on May 15, 2023,

Instrument Number 202309163.

5. The commencement and/or continuation of the mortgage foreclosure proceedings by reason of non-payment of monthly mortgage payments were stayed by the filing of a Chapter 13 Petition in Bankruptcy by the Debtor(s).

6. Debtor(s) has/have failed to make the monthly post-petition mortgage payments in the amount of \$748.76 for the months of October 2023 through November 2023.

7. The total amount necessary to reinstate the loan post-petition is \$1,497.52.

8. The total amount necessary to payoff the loan as of November 18, 2023 is \$136,337.40.

9. Movant is entitled to relief from the automatic stay for cause pursuant to 11 U.S.C. § 362(d).

10. In addition to the other amounts due to Movant reflected in this Motion, as of the date hereof, in connection with seeking the relief requested in this Motion, Movant has also incurred legal fees and costs. Movant reserves all rights to seek an award or allowance of such fees and expenses in accordance with applicable loan documents and related agreements, the Bankruptcy Code and otherwise applicable law.

11. This motion and the averments contained therein do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant prays that an Order be entered modifying the Stay and permitting Movant to proceed with its mortgage foreclosure on the mortgaged premises, and to allow the Sheriff's Grantee to take any legal action to enforce its right to possession of the mortgaged premises.

Date: December 7, 2023

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